

Message Text

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64

ACTION L-03

INFO OCT-01 EA-11 NEA-10 IO-13 ADP-00 COA-02 OIC-04 TRSE-00

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AMEMBASSY NEW DELHI

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E. O. 11652: N/A

TAGS: PBOR, AS

SUBJ: LOS: PRIME MINISTER WHITLAM'S STATEMENT TO PRESS IN NEW
DELHI JUNE 6 ON LOS MATTERS

REF: CANBERRA 329 2

1. AFTER CONSIDERABLE SEARCHING, EMBOFF HAS COME UP WITH
FOLLOWING QUESTION AND ANSWER AT PRESS CONFERENCE GIVEN TO
AUSTRALIAN AND FOREIGN JOURNALISTS IN NEW DELHI ON JUNE 6. AS
SUCH, PRIME MINISTER'S STATEMENT IS NOT DEFINITIVE, BUT RATHER
INDICATES AN ATTITUDE TOWARD THREE MATTERS: PASSAGE THROUGH
STRAITS, ENVIRONMENTAL PROTECTION IN STRAITS, AND EXPLOITATION
OF THE SEABED. FINAL TWO SENTENCES INDICATE LITTLE UNDERSTANDING
OF USG'S PROPOSAL FOR SEABEDS REGIME.

2. QTE: Q. THE LAW OF THE SEA. WHAT'S THE POSITION THERE?

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QTE: PRIME MINISTER: THERE ARE TWO THINGS WHICH COME UP
CONSTANTLY. ONE IS THE RIGHT OF PEACEFUL PASSAGE. THE GREAT
POWERS OFTEN TAKE THE ATTITUDE THAT THEY ARE ENTITLED TO SAIL
WHEREVER THEY LIKE BEYOND THE THREE MILE LIMIT. THEY TAKE THE
ATTITUDE, FOR INSTANCE, THAT THEY OUGHT TO BE ABLE TO SAIL A
SUBMARINE SUBMERGED THROUGH THE SUNDA STRAITS OR THE STRAIT OF
MALACCA. THE RIPARIAN STATES DON'T LIKE THAT ATTITUDE. THEY
SAY THAT, FOR INSTANCE, A SUBMARINE SAILING THROUGH STRAITS
DIVIDING TWO PARTS OF THE ONE COUNTRY SHOULD SAIL ON THE
SURFACE. IT IS NOT AN ATTITUDE, I THINK, ON WHICH WE HAVE
DETERMINED AN ATTITUDE BUT IT DOESN'T SEEM AN UNREASONABLE
THING TO EXPECT. SO THAT IS ONE THING - THE GENERAL QUESTION OF
NAVAL SHIPS. THERE IS ANOTHER ONE - THE ENVIRONMENTAL ONE. WHAT
IS TO BE THE POSITION OF TANKERS, FOR INSTANCE, THROUGH THE
STRAIT OF MALACCA. ARE MALAYSIA AND INDONESIA ENTITLED TO INSIST
ON LIMITATIONS OF SIZE OR SPEED OR COURSE OF TANKERS GOING
THROUGH THE STRAITS. IT IS NOT A MATTER IN WHICH WE HAVE TAKEN
AN ATTITUDE. OBVIOUSLY, HOWEVER, JAPAN'S INTEREST WOULD BE
DIFFERENT FROM THAT OF THE NEIGHBOURING STATES - THE LITTORAL
STATES, I SAID RIPARIAN BEFORE, I MEANT LITTORAL. AND A THIRD
MATTER IS THE RESOURCES OF THE SEABED. THE GREAT POWERS OR AT
LEAST THE TECHNICALLY ADVANCED POWERS USED TO TAKE THE ATTITUDE
THEY COULD PLACE LISTENING DEVICES AND SO ON ON THE SEABED
BEYOND THE THREE MILE LIMIT. THERE IS A TREATY COVERING THAT
NOW BUT THEY STILL TAKE THE ATTITUDE THAT THEY OUGHT TO BE ABLE
TO DRILL FOR OIL OR FOR ANY OTHER MINERALS BEYOND THE THREE
MILE LIMIT TO WHATEVER DEPTHS IT IS PHYSICALLY POSSIBLE TO
EXPLORE FOR MINERALS. A GREAT NUMBER OF ISLAND STATES - MALTA
IS THE FIRST ONE I CAN THINK OF - OBJECT TO THIS. THEY SAY THERE
OUGHT TO BE AN INTERNATIONAL CODE REGULATING FISHERIES AND
SEABED RESOURCES. OUR PREDECESSORS, IN GENERAL, TOOK THE LINE
THAT THE GREAT POWERS TAKE. OUR INCLINATION IS TO TAKE THE
LINE OF THE COUNTRIES WHICH HAVE THESE RESOURCES.
GREEN

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